

*Homeland Security Investigations
Office of the Special Agent in Charge*

U.S. Department of Homeland Security
601 W. 26th Street, Suite 700
New York, NY 10001



U.S. Immigration
and Customs
Enforcement

August 1, 2017

MEMORANDUM FOR: Alien File Regarding Gang Affiliation

THROUGH:

Bryant Wong
Supervisory Special Agent

FROM:

Daniel Loechner
Intel

SUBJECT:

[REDACTED]
DOB: [REDACTED]
A# [REDACTED]

Purpose

This correspondence serves to memorialize the subject's affiliation with a violent street gang and U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigation's (HSI) classification as a Gang Member.

Background

[REDACTED] is a national and citizen of El Salvador. [REDACTED] entered the United States at or near an unknown place on or about an unknown date without being admitted/inspected by an Immigration Officer. [REDACTED] has been issued a Notice to Appear.

HSI Long Island, Violent Gangs and Narcotics Unit (VGNU), has been targeting transnational criminal organizations for investigation, prosecution, and dismantling. [REDACTED] has been identified as a likely MS-13 gang member by the Suffolk County Police Department Gang Unit.

The MS-13 gang is a large transnational criminal organization with thousands of members and associates throughout the United States, El Salvador, Honduras, Guatemala, Mexico and other countries. The MS-13 gang is among the most violent transnational street gangs in the United

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[REDACTED] Page 2 of 2

A# [REDACTED]

States; it specializes in crimes of violence, including murder, attempted murder, rape, kidnapping, violent armed assaults, firearms offenses, weapons related crimes, drug distribution, intimidation, prostitution, extortion and robbery.

The MS-13 gang consists of cliques, or factions, located throughout the United States and is unique in that it retains ties to its counterparts in El Salvador. MS-13 has cliques in California, Washington DC, Oregon, Alaska, Arkansas, Texas, Nevada, Utah, Oklahoma, Illinois, Michigan, Maryland, Virginia, Georgia, Florida, Massachusetts, New York and several other states.

Criminal Record and Pattern of Criminal Gang Activity

- On October [REDACTED] 2016 [REDACTED] was arrested for Criminal Possession of Marijuana while in the company of other confirmed MS-13 members. Charge is still pending.
- On November [REDACTED] 2016 [REDACTED] was arrested for False Personation, a Class B Misdemeanor while in the company of other MS-13 members.
- On November [REDACTED] 2016 [REDACTED] was arrested for endangering the welfare of a minor. He was wearing gang colors and footwear associated with MS-13. ← *infuriated*
- • On February [REDACTED] 2017 [REDACTED] was encountered by law enforcement and observed to be with other confirmed MS-13 members [REDACTED] and [REDACTED].
- On July [REDACTED] 2017 [REDACTED] was stopped by Suffolk County PD. [REDACTED] was wearing known MS-13 colors and apparel including Chicago Bulls hats.

Discussion

[REDACTED] has been classified as an MS-13 member by HSI predicated on the following.

- [REDACTED] has been identified as a member of MS-13 by the Suffolk County Police Department Gang Unit.
- [REDACTED]'s clothing and accessories are indicative of membership in MS-13.
- [REDACTED] has two or more arrests in the presence of other MS-13 members.

Conclusion

In light of [REDACTED]'s affiliation to a violent street gang, he should not be afforded any type of immigration services, relief, benefit or otherwise released from custody pending the outcome of removal proceedings.

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U.S. Department of Homeland Security
601 W. 26th Street, Suite 700
New York, NY 10001



**U.S. Immigration
and Customs
Enforcement**

June 16, 2017

MEMORANDUM FOR: Alien File Regarding Gang Affiliation

THROUGH: Bryant Wong
Supervisory Special Agent

FROM: Joubert Dupuy
Special Agent

SUBJECT: [REDACTED] aka [REDACTED] aka [REDACTED]

DOB: [REDACTED] 5
A# [REDACTED]

Purpose

This correspondence serves to memorialize the subject's affiliation with a violent street gang and U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigation's (HSI) classification as a Gang Member.

Background

[REDACTED] is a national and citizen of Honduras. [REDACTED] entered the United States at or near an unknown place on or about an unknown date without being admitted/inspected by an Immigration Officer. [REDACTED] has been issued and served a Notice to Appear.

HSI Long Island, Violent Gangs and Narcotics Unit (VGNU), has been targeting transnational criminal organizations for investigation, prosecution, and dismantling. [REDACTED] has been identified as an MS-13 gang member by the Suffolk County Police Department Gang Unit.

The MS-13 gang is a large transnational criminal organization with thousands of members and associates throughout the United States, El Salvador, Honduras, Guatemala, Mexico and other countries. The MS-13 gang is among the most violent transnational street gangs in the United States; it specializes in crimes of violence, including murder, attempted murder, rape,

A# [REDACTED]

kidnapping, violent armed assaults, firearms offenses, weapons related crimes, drug distribution, intimidation, prostitution, extortion and robbery.

The MS-13 gang consists of cliques, or factions, located throughout the United States and is unique in that it retains its ties to its counterparts in El Salvador. MS-13 has cliques in California, Washington DC, Oregon, Alaska, Arkansas, Texas, Nevada, Utah, Oklahoma, Illinois, Michigan, Maryland, Virginia, Georgia, Florida, Massachusetts, New York and several other states.

Criminal Record

- On [REDACTED] 4 [REDACTED] was arrested and charged with Criminal Possession of Marijuana-5th Degree in a Public Place.
- On [REDACTED]/2014 [REDACTED] was arrested and charged with False Personation.
- On 9/22/2015 [REDACTED] was arrested and charged with Criminal Contempt 1st Degree; Violate Order of Protection-Physical Contact. He pled guilty to Disorderly Conduct on 12/8/2016.
- On [REDACTED]/2016 [REDACTED] was arrested and charged with Unlawful Possession of Marijuana, False Personation, Aggravated Unlicensed Operation of a Vehicle 3rd Degree.
- On [REDACTED]/23/2016 [REDACTED] was arrested and charged with Criminal Contempt 1st Degree; Violate Order of Protection-Physical Contact, Criminal Mischief: Intent to Damage Property, and False Personation.
- On [REDACTED]/27/2017 [REDACTED] was arrested and charged with Criminal Contempt 1st Degree; Violate Order of Protection-Communicates with Person and Criminal Contempt 1st Degree; Violate Order of Protection-Physical Contact.
- On [REDACTED]/2017 [REDACTED] was arrested and charged with Criminal Contempt 1st Degree; Violate Order of Protection-Physical Contact and Criminal Contempt 2nd Degree: Disobey Court.
- On [REDACTED]/2017 [REDACTED] was arrested and charged with Criminal Contempt 1st Degree; Violate Order of Protection-Telephones Person.

Pattern of Criminal Gang Activity

- On 3/28/2017 [REDACTED] [REDACTED] was encountered with drawings of MS-13 signs and symbols and was found to have a tattoo indicative of gang membership.
- On 4/17/2017 [REDACTED] was encountered by Suffolk County PD wearing apparel indicative of MS-13 gang membership.
- On 4/21/2017 [REDACTED] was encountered by Suffolk County PD wearing attire indicative of MS-13 gang membership. According to SCPD, he had been previously encountered in the company of known MS-13 gang members.
- On 5/25/2017 [REDACTED] admitted to Suffolk County Police Department of being an MS-13 gang member in Honduras.

A# [REDACTED]

Discussion

[REDACTED] has been classified as an MS-13 member by HSI predicated on the following.

- [REDACTED] has been identified as a member of MS-13 by the Suffolk County Police Department Gang Unit on multiple occasions.
- [REDACTED] admitted to being an MS-13 gang member.
- [REDACTED] tattoos, clothing and accessories are indicative of membership in MS-13.
- [REDACTED] has been encountered in the company of known MS-13 gang members.
- [REDACTED] has been associated with gang-related drawings.

Conclusion

In light of [REDACTED] affiliation to a violent street gang, he should not be afforded any type of immigration services, relief, benefit or otherwise released from custody pending the outcome of removal proceedings.

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New York, NY 10001



U.S. Immigration
and Customs
Enforcement

March 28, 2017

THROUGH:

Manuel J. DeCastro *Manuel J. DeCastro*
Supervisory Special Agent

FROM:

Nicholas Ingegno *Nicolas*
Special Agent

RE:

Memorandum of Gang Affiliation

SUBJECT:

[REDACTED]
AKA [REDACTED]
DOB: [REDACTED]
A# [REDACTED]

Purpose

This correspondence serves to memorialize the subject's membership in a violent street gang and U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigation's (HSI) classification of the subject as a Gang Member.

Background on Subject

[REDACTED] is a national and citizen of Honduras. [REDACTED] initially entered the United States (U.S.) at a place not designated as a port of entry, thus [REDACTED] was not admitted, inspected, or paroled into the U.S. legally. [REDACTED] was issued a Notice to Appear on [REDACTED] 2016 charging alien inadmissibility under Section 212(a)(6)(A)(i) of the Immigration and Nationality Act (INA). [REDACTED] has no pending applications.

The subject continues to be under investigation by HSI Long Island, Violent Gangs and Narcotics Unit (VGNU). VGNU agents have discovered that [REDACTED] is an active member of the Mara Salvatrucha 13 (MS-13) street gang in the Huntington Station, New York area.

Background on MS-13

The MS-13 gang is a large transnational criminal organization with thousands of members and associates throughout the United States, El Salvador, Honduras, Guatemala, Mexico and other countries. The MS-13 gang is among the most violent transnational street gangs in the United States; it specializes in crimes of violence, including murder, attempted murder, rape, kidnapping, violent armed assaults, firearms offenses, weapons related crimes, drug distribution, intimidation, prostitution, extortion and robbery.

The MS-13 gang consists of cliques, or factions, located throughout the United States and is unique in that it retains its ties to its counterparts in El Salvador. MS-13 has cliques in California, Washington DC, Oregon, Alaska, Arkansas, Texas, Nevada, Utah, Oklahoma, Illinois, Michigan, Maryland, Virginia, Georgia, Florida, Massachusetts, New York and several other states.

Evidence of Subject's Gang Membership

HSI has classified [REDACTED] as a Gang Member of the MS-13 HCLS clique predicated on the following evidence:

■ Criminal Record and Pattern of Criminal Gang Activity

- [REDACTED] was arrested on [REDACTED], 2016 and charged with Alien Inadmissibility under Section 212.
- [REDACTED] was arrested on [REDACTED] 2016 by the Suffolk County Police Department (SCPD) for Criminal Possession of a Weapon-4th: Firearm/Weapon. [REDACTED] was convicted on [REDACTED] 2016.
- On [REDACTED] 2015, SCPD arrested [REDACTED] for criminal mischief. [REDACTED] stated that his nickname is [REDACTED] and that he smokes weed and plays cards with MS-13 gang members including, but not limited to, [REDACTED] and [REDACTED]. [REDACTED] admitted that the tattoo on his [REDACTED] [REDACTED] is an MS-13 gang tattoo. [REDACTED] stated that he came to Huntington Station, NY from Virginia and because he did not know anyone, he began associating with MS-13 gang members for friendship.
- [REDACTED] admitted to SCPD that he threw a rock through the front window of a bar he was kicked out of to show his loyalty to MS-13.
- On October 9, 2015, a reliable confidential source of information identified [REDACTED] as the shooter of [REDACTED] a member of a rival gang operating in Huntington, NY, to the SCPD.
- On [REDACTED] 2016, a blue Toyota was stopped by the SCPD occupied by four (4) subjects. Upon stopping the vehicle, the officer noticed a strong smell of marijuana coming from the inside of the vehicle. A loaded .38 caliber revolver was found in the rear seat of the vehicle. [REDACTED] was in the vehicle along with [REDACTED]. All four were arrested. It was believed by the SCPD that the four subjects were going to commit a drive-by shooting as the final stage of [REDACTED]

[REDACTED] being initiated into MS-13. [REDACTED] had been claiming in school that he is associating if MS-13 and was being initiated into the gang.

- o [REDACTED] was stopped driving a stolen BMW out of Delaware on [REDACTED] 2016.

☒ Classification of Gang Membership by Other Law Enforcement Agencies

- o Based upon reliable sources of information, the SCPD has confirmed that [REDACTED] is a member of the MS-13 gang.

☒ Reliable Sources Who Corroborate Subject's Gang Membership

- o On February 3, 2017, a reliable confidential source of information identified several MS-13 gang members to the SCPD, to include [REDACTED] and other members associated with [REDACTED] in this memorandum to include [REDACTED]
- o On January 25, 2017, a reliable confidential source of information informed the SCPD that [REDACTED] was an associate of MS-13 and that known MS-13 member [REDACTED] sometimes slept at [REDACTED] house.
- o On December 2, 2016, a reliable confidential source of information told the SCPD that [REDACTED] was a known member of MS-13.
- o On September 19, 2016, a reliable confidential source of information told the SCPD that [REDACTED] and others were members MS-13.
- o On August 9, 2016, a reliable confidential source of information stated to the SCPD that [REDACTED] is involved in MS-13 activity along with [REDACTED]
- o On July 20, 2016, a reliable confidential source of information told the SCPD that the following people are MS-13 members who pass around a gun: [REDACTED]
[REDACTED]
- o On March 31, 2016, a reliable confidential source of information told the SCPD that [REDACTED] and others are known members of MS-13 and that they sell drugs at the following bars: [REDACTED]
- o On October 28, 2015, a reliable confidential source of information identified [REDACTED] as an MS-13 member, and that [REDACTED] and another MS-13 member had assaulted him/her in the past.

☒ Association with Other Gang Members

- o On [REDACTED] 2015, [REDACTED] was present at the arrest of [REDACTED] [REDACTED] who is a confirmed and self-admitted MS-13 gang member.
- o On [REDACTED] 2015, [REDACTED] was arrested by the SCPD. The subject was in the company of [REDACTED] and [REDACTED] are previously confirmed and self-admitted associates of MS-13.
- o SCPD has observed [REDACTED] at the [REDACTED] Bar conversing with [REDACTED] [REDACTED] a known MS-13 member with prior gun possession charges.

■ Conduct Associated With Gang Membership

- SCPD has observed [REDACTED] dressed in blue and white clothing, blue bandana, and beads. This apparel is worn by MS-13 members to display their affiliation and allegiance to the gang.
- [REDACTED] has been documented wearing rosary beads and a Chicago Bulls hat on social media by HSI. Both items are commonly worn by MS-13 gang members to signify gang membership.
- [REDACTED] has a tattoo of [REDACTED]. [REDACTED] MS-13 gang members from Honduras commonly wear this tattoo.
- [REDACTED] also has been documented displaying a rifle on social media by HSI.

Conclusion

As described above, [REDACTED] is a member of a transnational criminal organization, the MS-13 gang. His gang membership and serious criminal history should preclude him receiving any U.S. immigration benefits. His conduct, coupled with the fact that SCPD encountered on at least two occasions during which he possesses firearms, demonstrates that he poses a danger to the community and a risk of flight from removal proceedings. Hence, he should remain in custody.